

**RULES
OF
GEORGIA DEPARTMENT OF AGRICULTURE
ANIMAL INDUSTRY DIVISION

CHAPTER 40-10-2
POULTRY INSPECTION-POULTRY PROCESSING**

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40-10-2-.01 Federal - State Cooperation

- 1) The U.S. Secretary of Agriculture will provide to the State advisory assistance, technical, and laboratory assistance, financial aid and training necessary to planning and operating of the State program.
- 2) The requirements of the Georgia Poultry Inspection Program will be at least equal to those imposed under Section 6 through 11 (21 U.S.C. 455 to 460) of the Federal Poultry Products Inspection Act.
- 3) The State of Georgia adopts U.S.D.A., Food Safety Inspection Service (FSIS) rules and regulations for mandatory poultry inspection as indicated in this chapter.

4) The Commissioner of Agriculture is authorized to spend public funds of Georgia appropriated for the administration of the Georgia Meat Inspection Act in furtherance of the cooperative program.

Authority O.C.G.A. 26-2-63 & 26-2-202

40-10-2.02 Incorporation by Reference: Code of Federal Regulations 9 CFR Part 381 - Federal Poultry Inspection Regulations

1) The current Mandatory Poultry Products Inspection Regulations (Code of Federal Regulations, 9 CFR Part 381) and Regulatory Requirements under the Poultry Products Inspection Act (Code of Federal Regulations, 9 CFR, Parts 416, and 417,) of the United States Department of Agriculture, are hereby adopted in their entirety with the exception of the deleted regulations specified in 40-10-2-.03 of this chapter and amended regulations as specified in 40-10-2-.04 of this chapter.

2) Definitions in the incorporated parts of the Federal regulations on mandatory poultry products inspection (Code of Federal Regulations, 9 CFR, Part 381, 416, and 417) of the United States Department of Agriculture are amended to read as follows when used in this chapter. Unless otherwise required by the context, the following terms shall be construed; respectively to mean:

a) "The Act" means Georgia Code Annotated 26-2-200 through 26-2-214

b) "The Administrator", "Regional Director", "Area Supervisor", "District Manager", or "District Office" means the Director of Meat Inspection, Georgia Department of Agriculture.

c) "Circuit Supervisor" or "Inspection Service Supervisor" means District Veterinary Supervisor or Assistant District Supervisor of the Poultry Inspection Program of the Georgia Department of Agriculture, Meat Inspection Section.

d) "The Compliance Program, Regulatory Programs, FSIS" means the Georgia Department of Agriculture, Meat Inspection Compliance Program.

e) "The Department", "United States Department of Agriculture", "USDA", or the "U.S. Department of Agriculture" means the Georgia Department of Agriculture. For brevity the acronym GDA is also used in this rule.

i) "U.S. Condemned" means GDA Condemned.

ii) "U.S. Detained" means GDA Detained.

- iii) "U.S. Inspected and Condemned" means GDA Inspected and Condemned.
- iv) "U.S. Inspected and Passed" means GDA Inspected and Passed.
- v) "U.S. Passed for Cooking" means GDA Passed for Cooking.
- vi) "U.S. Passed for Refrigeration" means GDA Passed for Refrigeration.
- vii) "U.S. Retained" means GDA Retained.
- viii) "U.S. Rejected" means GDA Rejected.
- ix) "U.S. Suspect" means GDA Suspect. "U.S. Government Seals" means GDA seals.
- f) "Federal" means State.
- g) "Federally Inspected and Passed", "U.S. Inspected and Passed", "U.S. Inspected for Wholesomeness", and "Federally Inspected for Wholesomeness", mean GDA Inspected and Passed.
- h) "Food Inspector", "Inspector", "Inspection Service employee", "USDA Inspector", "USDA Program Official", or "Program inspector" means an inspector of the Poultry Inspection Program of the Georgia Department of Agriculture, Meat Inspection Section.
- i) "Food Labeling Division, Regulatory Programs, FSIS" means the office of the Director, Georgia Department of Agriculture, Meat Inspection Section.
- j) "The Program", "Federal Inspection", "Federal Poultry Inspection", "Meat and Poultry Inspection", "Meat and Poultry Inspection Program", "Inspection Service", "Food Safety and Inspection Service", "Food Safety and Quality Service", "Technical Services", "Technical Service Center", "Standards and Labeling Division", and "Agency" mean the Poultry Inspection Program of the Georgia Department of Agriculture, Meat Inspection Section.
- k) "The Secretary" means the Commissioner of the Georgia Department of Agriculture.
- l) "Veterinary Supervisor" means District Veterinary Supervisor or the Director of the Poultry Inspection Program of the Georgia Department of Agriculture, Meat Inspection Section.

m) “Veterinary Inspector” means District Veterinary Supervisor, contract veterinarian, or the Director of the Poultry Inspection Program of the Georgia Department of Agriculture, Meat Inspection Section.

n) “USDA Inspection Legend” and “Official Inspection Legend” mean the Inspection legend of the Poultry Inspection Program of the Georgia Department of Agriculture, Meat Inspection Section as outlined in this chapter of the regulations.

Authority O.C.G.A. 26-2-202

40-10-2-.03 Deletion of Incorporated Sections: Code of Federal Regulations, 9 CFR Part 381 - Federal Poultry Inspection Regulations

1) The following sections of the Code of Federal Regulations governing the mandatory poultry products inspection (9 CFR, Part 381) of the United States Department of Agriculture incorporated by reference under section 40-10-2-.02 of this rule are deleted and are not rules of the Georgia Department of Agriculture: 381.6; 381.10 (a) (2), (4), (5), (6), and (7); 381.10 (b); 381.16; 381.17; 381.30; 381.31; 381.38; 381.39; 381.96; 381.97, 381.98; 381.104 through 381.112; 381.123(b)(3) and (4); 381.133(a)(1), 381. 145 (f), 381.185; 381.186; 381.195 through 381.236.

2) In 9 CFR 381.10(a) (3), the words “and the statement ‘Exempt-P.L. 90-492’” are deleted.

3) In 9 CFR 381.123(b), (2) and (4) the words “ and accompanied by the prefix ‘P’ ” are deleted.

Authority O.C.G.A. 26-2-202

40-10-2-.04 Incorporation as Amended: Federal Poultry Inspection Regulations Sections

The following sections of the Code of Federal Regulations governing the mandatory poultry products inspection (9 CFR, Part 381) of the United States Department of Agriculture incorporated by reference under section 40-10-2-.02 of this rule are amended as specified to allow incorporation as rules of the Georgia Department of Agriculture:

1) Code of Federal Regulations 9 CFR 381.35 shall be amended to read “a rate as determined by the Commissioner” instead of “a rate of \$9.28 per hour”.

2) Code of Federal Regulations 9 CFR 381.17 shall be amended to include:

(a). The applicant for inspection will be responsible for furnishing acceptable drawings and specifications:

(b). Each applicant for inspection shall submit to the program, four copies of:

1. Complete drawings with specifications of the floor plans of the establishment for which inspection is requested, showing the locations of principal pieces of equipment, floor drains, principal drainage lines, hand-washing basins, and hose connections for clean-up purposes;

2. A plot plan showing the limits of the establishment's premises, locations in outline of buildings on the premises, cardinal points of the compass, and roadways and railways serving the establishment; and

3. A room schedule showing the finish of walls, floors, and ceilings of all rooms in the establishment. The specifications shall include statements describing the water supply, plumbing, drainage, refrigeration, equipment, lighting, and operations of the establishment. Applicants for inspection may request information from the Commissioner concerning the requirements before submitting plans.

3) Code of Federal Regulations 9 CFR 381.145(a) shall be amended to include: "Poultry Product from an official establishment includes product from a state facility overseen by the Program.

Authority O.C.G.A. 26-2-202 & 26-2-206

40-10-2-.05 Supplemental Definitions

(1) As used in this chapter, unless otherwise required by the context, the singular form shall also import the plural and the masculine form shall also import the feminine, and vice versa.

(2) The definitions of terms in Meat Inspection Rule 40-10-1-.02 are incorporated into Chapter 40-10-2 unless not otherwise defined in this chapter. In addition, the following definitions will be applicable to the regulations in this chapter.

(a) Cutting up. Any division of any poultry carcass or part thereof, except that the trimming of carcasses or parts thereof to remove surface contaminants is not considered as cutting up.

(b) Dead poultry. The body (cadaver) of livestock that has died other than by slaughter.

(c) Domesticated Poultry. Any domesticated bird, chickens, turkeys, ducks, geese, guineas, squabs or ratites, whether live or dead.

(d) Experimental Poultry. Any poultry used in any research investigation involving the feeding or other administration of, or subjection to, an experimental biological product, drug or chemical or any non-experimental biological product, drug or chemical used in a manner for which it was not intended.

(e) Georgia inspected and condemned (or any authorized abbreviation thereof). This term means that the poultry carcass, viscera, other part of carcass, or other poultry product so identified has been inspected, found to be adulterated, and condemned under the regulations in this chapter.

(f) Georgia retained. This term means that the poultry carcass, viscera, other parts of the carcass, or other product, or article so identified is held for further examination by an inspector to determine its disposal.

(g) Georgia suspect. This term means that the poultry so identified is suspected of being affected with a disease or condition which may require its condemnation, in whole or in part, when slaughtered, and is subject to further examination by an inspector to determine its disposal.

(h) Georgia condemned. This term means that the poultry so identified has been inspected and found to be in a dying condition, or to be affected with any other condition or disease that would require condemnation of its carcass.

(i) "Inspected and passed" or "Georgia inspected and passed" or "Georgia inspected and passed by Department of Agriculture" (or any authorized abbreviation thereof). This term means that the poultry product so identified has been inspected and passed under the regulations in this chapter, and at the time it was inspected, passed, and identified, it was found to be not adulterated.

(j) Official certificate. Any certificate prescribed by the regulations in this chapter for issuance by an inspector or other person performing official functions under the Act.

(k) Official device. Any device prescribed by the regulations in 40-10-1-.14 of this chapter for use in applying any official mark.

(l) Official establishment Any USDA or GDA inspected establishment.

(m) Official inspection legend. Any symbol prescribed by the regulations in this chapter showing that an article was inspected and passed in accordance with the Act.

(n) Official mark. The official inspection legend or any other symbol prescribed by the regulations in this chapter to identify the status of any poultry or poultry product covered under this chapter.

(o) Poultry broker. Any "Poultry Products Broker".

(p) The Program. The Poultry Inspection Program of the Georgia Department of Agriculture Meat Inspection Section.

(q) Program Employee. Any inspector or other individual employed by the Department who is authorized by the Commissioner to do any work or perform any duty in connection with the program.

Authority O.C.G.A. 26-2-202.

40-10-2-06 Facilities Requiring Inspection

(1) Establishments requiring inspection:

(a) Inspection under the regulation in this chapter is required at:

1. Every establishment, except as provided in 9 CFR Chapter 381.10(a), (1), in which any domesticated poultry are slaughtered for transportation or sale as articles of commerce, or in which any products of, or derived from, carcasses of poultry are, wholly or in part, prepared for transportation or sale as articles of commerce which are intended for use as human food;

2. Every establishment, except as provided in 9 CFR Chapter 381.10(a)(1), within any State or organized Territory at which any livestock are slaughtered or any products of any livestock are prepared, for use as human food solely for distribution within such jurisdiction; and

3. Every establishment designated by the Commissioner pursuant to paragraph 40-10-2-.06 (b) and/or (c) of this Chapter as one producing adulterated products, which would clearly endanger the public health.

(b) The Commissioner may extend the inspection requirements to any establishment in the State at which products are prepared for distribution solely within the State, if he determines in accordance with the provisions of the Act that it is producing adulterated products, which would clearly endanger the public health.

(c) Whenever any complaint is received by the Commissioner from any person alleging that any retail store claiming exemption under this paragraph (a) has been operated in violation of the conditions prescribed in this section for exemption, and the Commissioner, upon investigation of the complaint, has reason to believe that any such violation has occurred he shall so notify the operator of the retail store and afford him reasonable opportunity to present his views informally with respect to the matter. Thereafter, if the Commissioner still has reason to believe that such a violation has occurred, and that a requirement that the operator keep records concerning the operations of the retail store would effectuate the purposes of the Act, the Commissioner shall order the operator to maintain complete, accurate, and legible records of total monthly purchases and of total monthly sales of poultry, poultry byproducts, and poultry food products, in terms of dollar values of the products involved. Such records shall separately show total sales to household consumers and total sales to other consumers and shall be maintained for the period prescribed in 40-10-1-.22(3) of the Georgia Meat Inspection Rules. If the operator maintains copies of bills of lading, receiving and shipping invoices, warehouse receipts, or similar documents, which give the information, required herein, additional records are not required by this subparagraph.

(2) Poultry and products entering official establishments. All poultry and all products entering any official establishment and all products prepared, in whole or in part, therein, shall be inspected, handled, stored, prepared, packaged, marked, and labeled as required by the regulations in this chapter.

Authority O.C.G.A. 26-2-208 & 26-2-214

40-10-2-.07 Application for Inspection; Grant or Refusal of Inspection

(1) Application will be as per Federal Code of Regulations 9 CFR 381 Subpart D: Application for Inspection: Grant or Refusal of Inspection with the following added stipulations:

(a) The Commissioner is authorized to grant inspection upon his determination that the applicant and the establishment are eligible therefore and to refuse to grant inspection at any establishment if he determines that it does not meet the requirements of this part of the regulations or has not received approval labeling and containers to be used at the establishment as required by the regulations in 40-10-2-.15 of this chapter. Before inspection is refused for any such reason, the applicant shall be informed of the proposed action and the reasons therefore and afforded an opportunity to present his views.

Authority O.C.G.A. 26-2-210

40-10-2-.08 Official Numbers; Inauguration of Inspection; Withdrawal of Inspection; Reports of Violations

(1) Inspection shall not be inaugurated in any building, any part of which is used as living quarters, unless the part for which inspection is requested is separated from such quarters by floors, walls, and ceilings of solid concrete, brick, or similar material, and the floors, walls, and ceilings are without opening that directly or indirectly communicates with any part of the building used as living quarters.

(2) Sanitation and adequate facilities. Inspection shall not be begun if an establishment is not in a sanitary condition or unless the establishment agrees to maintain such condition and provides adequate facilities for conducting such inspection.

(3) Withdrawal of inspection.

(a) The Commissioner is authorized to withdraw inspection from an official establishment under the stipulations of Chapter 9 CFR Chapter 3 Part 500, or for failure of the operator to destroy condemned products as required by the Act and the regulations in this chapter.

Authority O.C.G.A. 26-2-201, 26-2-202, 26-2-204, and 26-2-208

40-10-2-.09 Assignment and Authorities of Division Employees

(1) Designation of officer in charge and assistants. The Commissioner shall designate an officer in charge of the inspection in each district, and assign to said inspector such assistants as may be necessary.

(2) Assignment of Program Employees where members of family employed; soliciting employment.

(a) Except as specifically authorized by the Commissioner, no program employee shall be detailed for duty at an establishment where any member of his family is employed by the establishment, nor shall any officer in charge or other employee acting in a supervisory capacity be continued on duty at a circuit where any member of his family is employed by any establishment under his jurisdiction. Program employees are forbidden to solicit, for any person, employment at any official establishment, or by an officer, manager, or employee thereof.

(b) Program employees shall not procure product from any official establishment or any other establishment if its operations or products are inspected or regulated under the Meat Inspection Act of 1969 or any other law administered by the Department unless the store or outlet from which the purchase is made is open to the general public and the price paid by such employee is the same as the price paid by the general public. Program

employees must pay, and obtain receipts for money paid to such establishments for all such product and keep such receipts subject to inspection by supervisory employees or other authorized Department employees.

Authority O.C.G.A. 26-2-203

40-10-2-.10 Facilities for Inspection

Facilities for Inspection shall be in accordance with Code of Federal Regulations, 9 CFR, Chapter 3, Part 381 and Agriculture Handbook 570 US Inspected Meat and Poultry Plants- A Guide to Construction and Layout (revised April 1984).

Authority O.C.G.A. 26-2-203

40-10-2-.11 Hazard Analysis and Critical Control Point (HACCP) Systems

Hazard Analysis and Critical Control Point Systems shall be in accordance with the Code of Federal Regulations, 9 CFR, Chapter 3, Part 417.

Authority O.C.G.A. 26-2-205

40-10-2-.12 Sanitation

Sanitation shall be in accordance with Code of Federal Regulations, 9 CFR, Chapter 3, Part 416.

Authority O.C.G.A. 26-2-201, 26-2-204 and 26-2-208

40-10-2-.13 Official Marks, Devices, and Certificates

(1) The marks, devices, and certificates prescribed or referenced in this part shall be official marks, devices, and certificates for purposes of the Act, and shall be used in accordance with the provisions of this part and the Code of Federal Regulations, 9 CFR, Chapter 3, Part 381.

(2) Official marks and devices to identify inspected and passed products of poultry. The official inspection legend, or abbreviation thereof, shall be in the appropriate form as specified and approved by the Commissioner. The official inspection legend, or abbreviation thereof, is required to be applied to containers of inspected and passed carcasses and parts of carcasses of domestic poultry as deemed necessary by the Commissioner.

(3) The official inspection legend required to be used with respect to inspected and passed poultry products shall include wording as follows: "Inspected for wholesomeness by Georgia Department of Agriculture." This wording shall be contained within an outline of the state of Georgia. The form and arrangement of such wording shall be exactly as approved by the Commissioner. The appropriate

official establishment number shall be shown, unless the establishment number appears elsewhere on the labeling material in the manner prescribed in this section and the Code of Federal Regulations, 9 CFR, Chapter 3, Part 381.123(b), it may be omitted from the inspection mark. The Commissioner may approve the use of abbreviations of such inspection mark; and such approved abbreviations shall have the same force and effect as the inspection mark. The official inspection legend, or the approved abbreviation thereof, shall be printed on consumer packages and other immediate containers of inspected and passed poultry products, or on labels to be securely affixed to such containers. Further, such legend or approved abbreviation thereof, shall be applied to shipping containers of such products and may be printed or stenciled thereon, but shall not be applied by rubber stamping. When applied by a stencil, the legend shall be not less than 4 inches in diameter.

Authority O.C.G.A. Sec. 26-2-205

40-10-2-.14 Marking Products and Their Containers

(1) Authorization required making devices bearing official marks. No brand manufacturer, printer, or other person shall cast, print, lithograph, or otherwise make or cause to be any device containing any official mark or simulation thereof without prior written authority therefore from the Commissioner.

(2) Approval required for official marks. No device containing any official mark shall be made or caused to be made for use on any product until it has been approved by the Commissioner as provided for in 40-10-1-.19 of this chapter.

(3) Use of official marks prohibited except under supervision of Program employee; removal of official marks, when required:

(a) No person shall affix or place, or cause to be affixed or placed, the official inspection legend or any other official mark, or any abbreviation or simulation of any official mark, to or on any product, or container thereof, except under the supervision of a Program employee.

(b) No person shall fill, or cause to be filled, in whole or in part, with any product, any container bearing or intended to bear any official mark or any abbreviation or simulation of any official mark, except under the supervision of a Program employee.

(c) Product bearing any official mark shall not be canned, cooked, cured, smoked, salted, packed, rendered, or otherwise prepared by any person for commercial purposes unless:

(i) Such preparation is performed at an official establishment; or

(ii) Such preparation is conducted under State or other governmental inspection and the prepared product is marked to show that fact; or

(iii) The official marks are removed, defaced or otherwise destroyed before or during such preparation.

(iv) The preparation of the product consists solely of cutting up operations at any establishment exempted from inspection under section 40-10-2-.06 of this chapter or equal provisions of a law of a State or organized Territory.

(4) Unmarked inspected products moved between official establishments; moved in commerce.

(a) Unmarked products which have been inspected and passed but do not bear the official inspection legend may be transported from one official establishment to another official establishment, for further processing, in a railroad car, truck, or other closed container, if they are sealed with the official seal of the Department (as prescribed in 40-10-1-.14 of the Georgia Department of Agriculture Meat Inspection Rules) bearing the official inspection legend.

(b) Products which have been inspected and passed but do not bear the official inspection legend may be removed from an official establishment in closed containers bearing the official inspection legend and all other information required by this part and 40-10-2-.15 of this chapter: Provided, that upon removal from such closed container the product may not be further transported in commerce unless such removal was made under the supervision of a Program employee and such product is re-inspected by a Program employee and packed under his supervision in containers bearing the official inspection legend and all other information required by this part and 40-1-1-.19 of this chapter: and provided further, that unmarked products shall not be brought into an official establishment in an open container.

Authority O.C.G.A. 26-2-202 and 26-2-205.

40-10-2-.15 Labeling, Marking Devices, and Containers

(1) Labels required; supervision by Program Employee.

(a) When, in an official establishment, any inspected and passed product is placed in any receptacle or covering constituting an immediate container, there shall be affixed to such container a label as described in the Code of Federal Regulations, 9 CFR, Chapter 3, Part 381, Subpart N.

(2) Label Approval Required. All labels will have appropriate approval as required by the Commissioner.

(3) Reporting of obsolete labels. Once a year, or more if it is necessary, each official establishment shall submit to the Commissioner, in quadruplicate, a list of approved labels no longer in use, accompanied with a statement identifying the labels for which approval is no longer desired. The approved labels shall be identified by the date of approval, and the name of the product or other designation showing the class of labeling material.

Authority O.C.G.A. 26-2-202 and 26-2-205

40-10-2.16 Entry Into Official Establishments: Reinspection and Preparation of Products

(1) Products and other articles entering official establishments.

(a) Except as otherwise provided in paragraphs (g) and (h) of this section, no product be brought into an official establishment unless it has been prepared only in an official establishment and previously inspected and passed by a Program employee, and is identified by an official establishment and previously inspected and passed by a Program employee, and is identified by an official inspection legend as so inspected and passed. Product entering any official establishment shall not be used or prepared thereat until it has been reinspected.

(b) No slaughtered poultry or poultry product shall be brought into an official establishment unless it has been previously inspected and passed and is identified as such in accordance with the requirements of the Poultry Products Inspection Act (21 U.S.C. 451 et seq.) and the regulations thereunder, and has not been prepared other than in an establishment inspected under said Act or has been inspected and passed and is identified as such in accordance with the requirements of a state law;

(c) Every article for use as an ingredient in the preparation of meat food products, when entering any official establishment and at all times while it is in such establishment, shall bear a label showing the name of the article, the amount or percentage therein of any substances restricted by this chapter or the Code of Federal Regulations, 9 CFR, Chapter 3, Part 381, and a list of ingredients in the article if composed of two or more ingredients. In addition, the label must show the name and address of the manufacturer or distributor.

(d) Containers of preparations which enter any official establishment for use in cooling or retort water shall at all times while they are in such establishment bear labels, showing the chemical names of the chemicals in such preparations. In the case of any preparation containing chemicals which are specifically limited as to amount permitted to be used, the labels on the containers shall also show the percentage of each such chemical in the preparation;

(e) No prohibited dye, chemical, preservative, or other substance shall be brought into or kept in an official establishment for use as an ingredient of human food or animal feed;

(f) All isolated soy protein when entering and while in any official establishment, must be labeled in accordance with, and otherwise meet the requirements of Georgia Meat Inspection Rule 40-10-1-.20(6)(b) 11;

(g) The official establishment shall furnish such information, as the inspector may deem necessary to determine the origin of any product or other article entering the official establishment. Such information may include, but is not limited to, the name and address, of the seller or supplier, transportation company, agent, or broker involved in the sale or delivery of the product or article in question;

(h) Any product or any poultry or poultry product or other article that is brought into an official establishment contrary to any provision of this section may be required by the Commissioner to be removed immediately from such establishment by the operator thereof, and failure to comply with such requirement shall be deemed a violation of this regulation. If any slaughtered poultry or poultry products or other articles are received at an official establishment and are suspected of being adulterated or misbranded under the Poultry Products Inspection act or the Federal Food, Drug, and Cosmetic Act, the appropriate governmental authorities will be notified. Products received in an official establishment during the inspector's absence shall be held separate and apart in the establishment, pending inspection by the inspector.

(2) Reinspection, retention, and disposal of products at official establishments.

(a) All products and all slaughtered poultry and poultry products brought into any official establishment shall be identified and reinspected at the time of receipt, and shall be further subject to reinspection at any official establishment in such manner and at such times as may be deemed necessary by the officer in charge to assure compliance with the regulations in this chapter;

(b) All products, whether fresh, cured, or otherwise prepared, even though previously inspected and passed, shall be reinspected by Program employees as often as may be necessary in order to ascertain that they are not adulterated or misbranded at the time they enter or leave official establishments;

(c) Reinspection may be accomplished through use of statistically sound sampling plans that assure a high level of confidence. The officer in charge shall

designate the type of plan and the program employee shall select the specific plan to be used in accordance with instructions issued by the Commissioner;

(d) A Georgia Retained Tag shall be placed by a Program employee at the time of reinspection at any official establishment on all products, which are suspected on such reinspection of being adulterated or misbranded, and such products shall be held for further inspection. Such tags shall be removed only by authorized Program employees. When further inspection is made, if the product is found to be adulterated, all official inspection legends or other official marks for which the product is found to be eligible under the regulations in this chapter, shall be removed or defaced and the product shall be condemned and disposed of in accordance with this chapter, except that a determination regarding adulteration may be deferred if a product has become soiled or unclean by falling on the floor or in any other accidental way or if the product is affected with any other condition which the inspector deems capable of correction, in which case the product shall be cleaned (including trimming if necessary) or otherwise handled in a manner approved by the inspector to assure that it will not be adulterated and shall then be presented for reinspection and disposal in accordance with this section. If upon final inspection the product is found to be neither adulterated nor misbranded, the inspector shall remove the Ga. Retained tag. If a product is found upon reinspection to be misbranded, but not adulterated, it shall be held under a Ga. Retained tag, or a Ga. Detention tag, pending correction of the misbranding or issuance of an order to withhold from use the labeling or container of the product, or the institution of a judicial seizure action. The inspector shall make a complete record of each transaction under this paragraph and shall report his action to the officer in charge.

(3) Designation of places of receipt of product and other articles for reinspection. Every official establishment shall designate, with the approval of the officer in charge, a dock or place at which products and other articles subject to reinspection shall be received, and such products and articles shall be received only at such dock or place.

(4) Preparation of products to be officially supervised; responsibilities of official establishments:

(a) All processes used in curing, pickling, rendering, canning, or otherwise preparing any product in official establishments shall be supervised by Program employees. No fixtures or appliances, such as tables, trucks, trays, tanks, vats, machines, implements, cans, or containers or any kind, shall be used unless they are of such material and construction as will not contaminate or otherwise adulterate the product and are clean and sanitary. All steps in the process of

manufacture shall be conducted carefully and with strict cleanliness in rooms or compartments separate from those used for inedible products;

(b) It shall be the responsibility of the operator of every official establishment to comply with the Act and the regulations in this chapter. In order to effectively carry out this responsibility, the operator of the establishment shall institute appropriate control programs, approved by the Georgia Meat Inspection Division and commensurate with the type of activities conducted at the establishment and the preparation, marking, labeling, and packaging of its products strictly in accordance with the sanitary and other requirements of this chapter. When such control programs involve the maintenance of records, such records shall be made available for review by inspectors.

(5) Requirements concerning procedures:

(a) Care shall be taken to insure that product is not adulterated when placed in freezers. If there is doubt as to the soundness of any frozen product, the inspector will require the defrosting and reinspection of a sufficient quantity thereof to determine its actual condition.

(b) Frozen product may be defrosted in water or pickle in a manner and with the use of facilities, which are acceptable to the inspector. Before such product is defrosted, a careful examination shall be made to determine its condition. If necessary, this examination shall include defrosting of representative samples by means other than in water or pickle.

(c) Cooked poultry or poultry shall be so handled to assure that the product is not recontaminated by direct contact with raw product. To prevent direct contamination of the cooked product, establishments shall:

1. Physically separated areas where raw product is handled from areas where exposed cooked product is handled, using a solid impervious floor to ceiling wall; or

2. Handle raw and exposed cooked product at different times, with a cleaning of the entire area after the raw material handling is completed and prior to the handling of cooked product in that area; or prior to the handling of cooked product in that area; or

3. Submit a written procedure for approval through the inspector in charge to the District Supervisor detailing the steps to be taken which would avoid recontamination of cooked product by raw product during processing.

(d) Cooked poultry or poultry shall be so handled to assure that the product is not recontaminated by indirect contact with raw product. To prevent indirect contamination of the cooked product, establishments shall:

1. Any work surface, machine, or tool which contacts raw product shall be thoroughly cleaned and sanitized with a solution germicidally equivalent to 55 ppm chlorine before it contacts cooked product;
2. Employees shall wash their hands and sanitize them with a solution germicidally equivalent to 50 ppm chlorine whenever they enter the heat processed product area or before preparing to handle cooked product, and as frequently as necessary during operations to avoid product contamination; and
3. Outer garments, including aprons, smocks, and gloves shall be especially identified as restricted for use in cooked product areas only, changed at least daily, and hung in a designated location when the employee leaves the area.

(e) Cooked product shall not be stored in the same room as raw product unless it is first packaged in a sealed, watertight container or is otherwise protected by a covering that has been approved, upon written request, by the District Supervisor.

Authority O.C.G.A. 26-2-203 and 26-2-208

40-10-1-.17 License and Hearing Provisions.

(1) License and hearing provisions:

(a) Section 5 of Act No. 453, Georgia Laws 1956, page 748, provides that no person shall operate an abattoir or meat or poultry processing plant in the State of Georgia without first obtaining a license from the Commissioner of Agriculture. The license fee is \$10.00 per year with renewal each January 1 at the rate of \$10.00. The license is valid from January 1st to December 31st of each year;

(b) No license will be issued to any person, corporation, agent, packer, or meat processor, to engage in the business of slaughtering animals and processing meat for use as human food unless he conforms strictly to all regulations set forth herein and promulgated by the Commissioner of Agriculture.

(c) When sufficient evidence exists that any rule in this chapter has been violated, the party incriminated shall be subject to citation for hearing before the Commissioner of Agriculture. Procedure for such hearing shall be conducted as provided by law.

Authority O.C.G.A. 26-2-210